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Hewlett-Packard Financial Services and Hewlett-  
Packard Mexico, S. de. R.L. de C.V.*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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<b>In re:</b>	:	<b>Chapter 11</b>
<b>DELPHI CORPORATION, et al.,</b>	:	<b>Case No. 05-44481 (RDD)</b>
	:	
	:	<b>Jointly Administered</b>

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<b>DELPHI CORPORATION, et al.,</b>	:	
<b>Plaintiffs,</b>	:	
<b>v.</b>	:	<b>Adv. Pro. No. 07- 02449 (RDD)</b>
<b>HEWLETT PACKARD, HEWLETT PACKARD CO., INC., HEWLETT PACKARD COMPANY, HEWLETT PACKARD LIMITED, HEWLETT PACKARD MEXICO S., HEWLETT-PACKARD COMPANY and HEWLETT-PACKARD FINANCIAL SVCS.,</b>	:	
<b>Defendants.</b>	:	

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**RESERVATION OF RIGHTS AND JOINDER OF HEWLETT-PACKARD COMPANY  
AND AFFILIATES TO OBJECTIONS OF AURAMET TRADING LLC AND  
MICROCHIP TECHNOLOGY INC. TO REORGANIZED DEBTORS'  
MOTION FOR A CASE MANAGEMENT  
ORDER ESTABLISHING PROCEDURES GOVERNING ADVERSARY PROCEEDINGS**

1. Hewlett-Packard Company, Hewlett-Packard Financial Services Company and Hewlett-Packard Mexico, S. de. R.L. de C.V. (together, the “HP Defendants”), are defendants in an adversary proceeding (the “Adversary Proceeding”) commenced by the Reorganized Debtors’ predecessor-in-interest, Delphi Corporation and certain of its affiliates. The complaint initiating the Adversary Proceeding was filed under seal with the Clerk on September 26, 2007 (the “Complaint”).<sup>1</sup>

2. In response to the Complaint, on April 9, 2010, the HP Defendants filed the Motion for an Order Dismissing the Complaint With Prejudice and Vacating Certain Prior Orders Pursuant to Fed. R. Civ. P. 60 and Fed. R. Bankr. P. 9024 [Docket No. 17] (the “Motion to Dismiss”). In particular, the Motion to Dismiss argues, among other things, that the Complaint is time barred under the statute of limitations set forth in section 546(a) of Chapter 11 of Title 11 of the United States Code, and that the Complaint fails to plead sufficient facts to state a cause for relief in accordance with Federal Rule of Civil Procedure 8(a)(2), made applicable through Federal Rule of Bankruptcy Procedure 7008.

3. The proposed case management procedures contemplate that the restrictions set forth therein can be modified “for good cause shown and where circumstances warrant.” While the HP Defendants believe there are strong grounds for dismissal, in the event that the relief sought in the Motion to Dismiss is not granted, the HP Defendants reserve their right, depending on the Court’s decision and the nature of any claims that may survive, to seek relief from the case management order if the circumstances would warrant it. The HP Defendants further join in the Objection of Auramet Trading LLC Regarding Reorganized Debtors’ Motion for a Case

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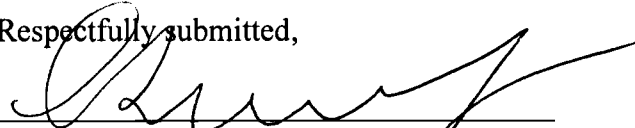
<sup>1</sup> Hewlett-Packard Mexico, S. de. R.L. de C.V. has sought dismissal of the Adversary Proceeding based on a lack of personal jurisdiction, and in joining in this reservation of rights and joinder, does not waive all such defenses.

Management Order Establishing Procedures Governing Adversary Proceedings [*In re Delphi Corporation, et al.*, Docket No. 19793], the Objection of Microchip Technology Incorporated to the Motion of the Reorganized Debtors for a Case Management Order in the form of order attached thereto [*In re Delphi Corporation, et al.*, Docket No. 19794], the Defendants' Objection to Reorganized Debtors' Motion for a Case Management Order Establishing Procedures Governing Adversary Proceedings [*Delphi Corporation, et al. v. Affinia Group Holdings, Inc., et al.*, Adversary Proceeding No. 07-02198, Docket No. 25], the Response and Objection of Defendant, Spartech Polycom, to Reorganized Debtors' Motion for Case Management Order Establishing Procedures Governing Adversary Proceedings [*In re Delphi Corporation, et al.*, Docket No. 19826], the Objection of the DSSI Defendants to Reorganized Debtors' Motion for a Case Management Order Establishing Procedures Governing Adversary Proceedings [*In re Delphi Corporation, et al.*, Docket No. 19827], and the Joint Objection to Reorganized Debtors' Motion for a Case Management Order Establishing Procedures Governing Adversary Proceedings filed by Ambrake Corporation and Sumitomo Wiring Systems (USA), Inc. [*In re Delphi Corporation, et al.*, Docket No. 19835] and request that any relief granted with respect to the limitations on discovery (in particular the limitations on document requests and interrogatories in light of the proposal that parties be exempted from the initial disclosure requirements of Rule 26(a)(1)) be made applicable to the HP Defendants as well. Additionally, the HP Defendants did not read the proposed case management order as providing that requests for admission in any particular Retained Adversary Proceeding (as defined in the Reorganized Debtors' Motion for a Case Management Order Establishing Procedures Governing Adversary Proceedings, Docket No. 9) cannot be served until thirty days after the close of all other fact discovery in every Retained Adversary Proceeding, rather only that particular action. To the

extent the Reorganized Debtors intended otherwise, the HP Defendants join in the objections of Microchip Technology Incorporated and Ambrake Corporation and Sumitomo Wiring Systems (USA), Inc. with respect to this provision as well.

Dated: New York, New York  
April 15, 2010

Respectfully submitted,

  
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